IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE C.N.RAMACHANDRAN NAIR

WEDNESDAY, THE 28TH FEBRUARY 2007 / 9TH PHALGUNA 1928

WP(C).No. 30137 of 2005(K)

PETITIONER:

P.K. VIJAYAKUMAR,
NELLIVILA ROADARIKATHU VEEDU, VELLAR P.O.,
THIRUVANANTHAPURAM.

BY ADV. SRI.C.RAJENDRAN
SRI.D.SAJEEV

RESPONDENTS:

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1. THE STATE OF KERALA,
REPRESENTED BY THE CHIEF SECRETARY,
SECRETARIAT, THIRUVANANTHAPURAM.

2. THE DIRECTOR GENERAL OF POLICE,
THIRUVANANTHAPURAM.

3. COMMISSIONER OF POLICE,
THIRUVANANTHAPURAM CITY, THIRUVANANTHAPURAM.

4. CIRCLE INSPECTOR OF POLICE, VIZHINJAM.

5. THE SUB INSPECTOR OF POLICE,
KOVALAM POLICE STATION, THIRUVANANTHAPURAM.

6. SURESH KUMAR,
THE SUB INSPECTOR OF POLICE,
KOVALAM POLICE STATION, THIRUVANANTHAPURAM.

BY GOVERNMENT PLEADER – ADV. SMT. BINDU

THIS WRIT PETITION (CIVIL) HAVING BEEN FINALLY HEARD ON 28/02/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

W.P.(C)No. 30137/05

APPENDIX

PETITIONER'S EXHIBITS

EXT.P1 COPY OF THE ORDER DATED 25/03/2004 IN E.P. NO.266/03

EXT.P2 COPY OF THE PLAINT IN O.S.No. 243/2005 ON THE FILE OF THE MUNSIFF'S COURT, THIRUVANANTHAPURAM.

EXT.P3 COPY OF THE ORDER IN I.A. NO.1838/2005 IN O.S.No. NO.243/2005.

EXT.P4 COPY OF THE PLAINT IN O.S. NO.1384/2002.

EXT.P5 COPY OF THE COMPLAINT DATA 06/07/2005 FILED BEFORE THE 3RD RESPONDENT.

EXT.P5(a) COPY OF THE RECEIPT DATED 06/07/2005.

EXT.P6 COPY OF THE FIR IN CRIME CASE NO.184/05 OF KOVALAM POLICE STATION.

EXT.P7 COPY OF THE FIR IN CRIME CASE NO.185/05 OF KOVALAM POLICE STATION.

EXT.P8 COPY OF THE FIR IN CRIME CASE NO.186/05 OF KOVALAM POLICE STATION.

EXT.P9 COPY OF THE FIR IN CRIME CASE NO.187/05 OF KOVALAM POLICE STATION.

EXT.P10 COPY OF THE FIR IN CRIME CASE NO.224/05 OF KOVALAM POLICE STATION.

EXT.P11 COPY OF THE JUDGMENT DATED 10/08/2005 IN W.P.(C)No. 23785/2005.

EXT.P12 COPY OF THE COMPLAINT DATED 22/8/2005 FILED BY THE PETITIONER BEFORE THE 2ND RESPONDENT.

// TRUE COPY //

PA TO JUDGE

jg

C.N.RAMACHANDRAN NAIR, J.

WP(C) No. 30137 of 2005

Dated, this the 28th day of February, 2007

J U D G M E N T

Petitioner's case is that the 6th respondent as Officer-in-charge of the 5th respondent Police Station filed several bogus complaints against the petitioner at the request of some others, who tried forcefully to cut open a road over the petitioner's property. It is stated that final report has filed by the 5th respondent before the Magistrate Court. The prayer in the writ petition is for a direction to the 2nd respondent to conduct enquiry in the matter. I do not think any direction is called for at this stage because the Judicial Magistrate, who is dealing with the case, will be in a position to pass more effective orders if complaints are found to be bogus. This writ petition is closed leaving freedom to the petitioner to raise all allegations against the Investigating Officer before the Judicial Magistrate for his consideration.

(C.N.RAMACHANDRAN NAIR, JUDGE.)

jg